

INSURANCE

Chapter 7. Rule Number 10 5

Continuing Education

§701. Purpose

A. The purpose of this regulation is to protect the public, maintain high standards of professional competence in the insurance industry, and maintain and improve the insurance skills and knowledge of agents, brokers, and solicitors licensed by the Department of Insurance. This shall be accomplished by prescribing: minimum standards of education in approved subjects that a licensee must periodically complete; procedures and standards for the approval of such education; and a procedure for establishing that continuing education requirements have been met.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§703. Basic Requirements

A. As a condition for the continuation of a license, a licensee must furnish the Department of Insurance, prior to the licensing renewal date, proof of satisfactory completion of approved subjects or courses having the required minimum hours of continuing education credit during each two-year licensing period.

- | | | |
|----|--------------------------|----------------------------|
| 1. | Life-health license only | 16 hours |
| 2. | Property-casualty | 24 hours |
| 3. | Combination of both | 12 hours life-health |
| | P-C & L-H licenses | 20 hours property-casualty |
| 4. | Bail bond license | 12 hours |

B. Failure to fulfill the continuing education requirements prior to the filing date for license renewal shall cause the license to write insurance to lapse. For a period of three years from the date of lapse of the license, the license may be renewed upon proof of fulfilling all continuing education requirements through the date of reinstatement and payment of all fees due. If the license has lapsed for more than three years, the license may be renewed only by fulfilling the requirements for issuance of a new license.

C. Property-casualty insurance agents shall complete 24 hours of approved instruction prior to each license renewal. Life-health insurance agents shall complete 16 hours of approved instruction prior to each license renewal. Each course to be applied toward satisfaction of the continuing education requirement must have been completed within the two-year period immediately preceding renewal of the license. Until May 1, 2003, up to 10 excess hours, acquired during the previous renewal period, may be carried forward and applied to the continuing education requirement.

D. Agents authorized to write both life-health and property-casualty insurance shall complete 20 hours of approved property-casualty instruction prior to each property-casualty license renewal. These agents shall also

complete 12 hours of approved life-health instruction prior to each life-health license renewal. Each course to be applied toward satisfaction of the continuing education requirements must have been completed within the two-year period immediately preceding renewal of the license. Until May 1, 2003, up to 10 excess hours, acquired during the previous renewal period, may be carried forward and applied to the continuing education requirement.

E. Duplication of the same courses offered by the same provider will not be accepted as proof of compliance for continuing education requirements during the same renewal period.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994), LR 27:561 (April 2001).

§705. Applicability

A. This regulation applies to all resident agents, brokers, and solicitors licensed by the Department of Insurance. Further, this rule shall apply to the providers of continuing education programs and instructors for such programs.

B. This regulation applies to all nonresident agents, brokers, and solicitors licensed by the Department of Insurance. However, nonresident licensees subject to continuing education requirements in their home state shall be exempt from this regulation.

C. This requirement for the completion of continuing education shall not apply to the following:

1. specialty classes of licenses including industrial fire, industrial life and health, credit life, credit health and accident, credit property, accidental death and dismemberment and/or vendor single interest which is written solely in connection with credit transactions, title, travel, baggage, auto clubs, home service, and other limited licenses;

2. licensees that are at least 65 years of age and have a minimum of 15 years experience as an agent, broker, or solicitor and are also either:

a. no longer actively engaged in the insurance business as an agent, broker or solicitor and who is receiving social security benefits, if eligible; or

b. actively engaged in the insurance business as an agent, broker or solicitor and who represents or operates through a licensed Louisiana insurer;

3. a new licensee who has completed an approved prelicensing education course is exempt from continuing education requirements under this rule for the first license renewal only. Thereafter, the new licensee will be subject to all continuing education requirements.

D. If a licensee is unable to comply with continuing education requirements during the licensing period because of a disability, medical condition or similar reason, the

commissioner may waive the continuing education requirements or may require the licensee to complete the required number of credit hours through correspondence courses. The following is necessary to request a waiver:

1. a current physician's statement supporting the licensee's disability/illness;
2. a description, in the licensee's own words of the disability/illness and the reason said disability/illness prevented the licensee from attending a classroom or completing a home study (correspondence) course.

E. The Department of Insurance anticipates and expects that licensees will maintain high standards of professionalism in selecting quality education programs to fulfill the continuing education requirements.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:856 (October 1990), amended LR 17:790 (August 1991), LR 20:1392 (December 1994), LR 27:562 (April 2001).

§707. Insurance Education Advisory Council

A. The Insurance Education Advisory Council, comprised of representatives from each segment of the insurance industry, shall be appointed by the Commissioner of Insurance to perform the following duties:

1. approve or disapprove programs as per the standards of this regulation and assign the number of continuing education hours to be awarded to programs that are approved;

2. consider applications for exceptions as permitted under rule of this regulation; and

3. consider other related matters as the commissioner may assign.

B. The Department of Insurance shall provide all members of the Insurance Education Advisory Council timely written notice of all council meetings. The members present at any meeting of the Insurance Education Advisory Council shall be deemed to be a quorum for purposes of acting to perform the duties of the council pursuant to this regulation. Matters before the Insurance Education Advisory Council may be decided by a majority of those members present. In the event of a tie vote, the chairman shall vote to break the tie.

C. Decisions or rulings of the Insurance Education Advisory Council in performance of the duties set forth herein shall have the effect of decisions or rulings of the Department of Insurance, but are subject to review and approval by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§709. Program Requirements

A. All continuing education programs are subject to review and approval by the Insurance Education Advisory Council and certification by the commissioner. Each program must be submitted to the Insurance Education Advisory Council in accordance with this rule on forms promulgated by the commissioner (§733) not less than 60 days prior to the expected use of the program.

B. If a program is not approved in advance of presentation, a retroactive application for credit may be submitted to the Insurance Education Advisory Council within 60 days of completion of the course on forms promulgated by the commissioner (§733). All correspondence courses or individual study programs must be approved and certified in accordance with this rule prior to being offered to licensees for continuing education credit.

C. Any course which has not been approved by the Insurance Education Advisory Council and certified by the commissioner before the date on which it is to be presented shall not be represented or advertised in any manner as "approved" for continuing education credit.

D. Courses Which Qualify

1. A specific course will qualify as an acceptable continuing education program if it is a formal program of learning which contributes directly to the professional competence of a licensee. It will be left to each individual licensee to determine the course of study to be pursued. All programs must meet the standards outlined in the rule.

2. Subjects Which Qualify

- a. The following general subjects are acceptable as long as they contribute to the knowledge and professional competence of an individual licensee as an agency, broker, or solicitor and demonstrate a direct and specific application to insurance:

- i. insurance and risk management;
- ii. insurance laws, regulations and ethics;
- iii. courses in economics, business, management, computers, finance, taxes and laws which relate specifically to the insurance business;
- iv. any other such subjects which may be related to the insurance industry. This may include but will not be limited to subjects such as securities and finance.

- b. Areas other than those listed above may be acceptable if the licensee can demonstrate that they have direct and specific application to insurance and contribute to professional competence and otherwise meet the standards set forth in this regulation. The responsibility for substantiating that a particular program meets the requirements of this regulation rests solely upon the licensee.

E. Courses which do not qualify:

1. any course used to prepare for taking an insurance or securities licensing examination;

M. Licensees who attend programs that are not approved for CE credit because of a small attendance by Louisiana licensees, may apply to the Insurance Education Advisory Council for individual approval of the course by complying with the standard submission procedures outlined in this rule and the payment of the \$25 submission fee.

N. The Department of Insurance may accept the Midwest Zone Standard Continuing Education Filing Forms or any other uniform, standardized forms approved by the Department of Insurance and the necessary attachments as the forms required for approval of courses submitted by a nonresident continuing education provider, for courses previously awarded credit by the continuing education provider's home state. Courses that have not previously been awarded credit in the provider's home state must be approved pursuant to all other provisions of this rule.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:856 (October 1990), amended LR 17:790 (August 1991), LR 20:1392 (December 1994), LR 27:562 (April 2001).

§711. Provider Requirements

A. All continuing education provider organizations are subject to review and approval by the Insurance Education Advisory Council and certification by the commissioner. CE providers must demonstrate their ability to provide quality education programs with appropriate subjects, quality student materials, and instructors with the knowledge, experience, and teaching skills necessary to improve the professional level of licensees. Applications for provider approval shall be submitted through the Department of Insurance to the Louisiana Insurance Education Advisory Council not less than 60 days prior to the first submission for program approval. Each education provider applicant shall provide all necessary information in the format set forth in this rule. The provider application shall include:

1. a completed §737 Request For Provider Approval with the additional information listed;

2. qualifications of the education provider organization including, but not limited to, the past experience of the provider in conducting insurance education programs, sufficient to establish that the organization will provide quality CE courses;

3. completion of §739 Request for Instructor Approval and résumé in accordance with the requirements and qualifications of instructors set forth in this rule for the initial certification of the director/supervising instructor;

4. Section 745 Administrative and Reporting Requirements Survey and supporting materials necessary to establish that the provider will comply with all reporting requirements of this rule and provide students with the administrative support necessary to comply with CE requirements;

5. the complete name, address, and description of the training facilities to be used sufficient to establish compliance with §715 of this rule requiring adequate facilities for proper training;

6. a schedule of registration fees and student costs to participate in programs;

7. program submission as outlined in §709 including, but not limited to, a complete copy of all student materials or course outline used, list of resource materials, detailed description of programs, detailed time distribution of presentation, résumé, and qualifications of specific instructors who will teach each program, and class schedules and locations. Refer to §709 for details.

B. Insurance agent, broker, or solicitor organizations, their parent or subsidiary organizations will not be approved as a continuing education provider for the primary purpose of providing continuing education for their licensed employees.

C. Each provider application shall be accompanied by a nonrefundable application fee of \$250.

D. Once approved, the provider shall maintain detailed attendance records for all students for all classes for three years following completion of all classes. Records must be maintained in computer format compatible with Insurance Department specifications to facilitate the electronic reporting and transfer of attendance information from the provider to the Insurance Department. The provider must complete §745 Administrative and Reporting Requirements Survey to establish these capabilities, and must work with Insurance Department computer personnel to maintain the required computer reporting records. The provider must also maintain a physical office facility adequate for the proper storage of records, and administrative staff necessary to facilitate the proper administration of CE requirements for student licensees. Provider records may be reviewed by the commissioner and the council.

E. The provider shall not allow credit for required hours for any work which is not conducted under the direct supervision of the course instructor at the approved facility during scheduled classes.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§713. Instruction Requirements

A. Insurance trade associations, insurance companies, accredited public colleges and universities, and nationally recognized insurance professional designation programs, as recognized by the commissioner (Division A and B providers), shall submit for approval the education director who will be certified to serve in a supervisory capacity. The education director shall be assigned the responsibility for verifying the qualifications of any other instructors used by the provider and shall be responsible for assuring the quality of all education courses.

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B. Other organizations recommended by the council and authorized by the commissioner shall have an education director certified. The education director must submit a §739 form for each instructor who will participate in any course conducted by the provider. The Insurance Education Advisory Council must approve each instructor and course. The approved education director shall be responsible for any other instructor or guest instructor and shall be responsible for assuring the quality of all education courses.

C. All instructors must possess the necessary qualifications to enable them to teach the program and to present the instructional material. Special consideration may be granted by the commissioner or the council, with the commissioner's approval, where it is felt that the specific background of the instructor warrants such consideration. The qualifications for instructors shall include as a minimum the following:

1. for education directors and supervising instructors, five years of insurance and/or education experience satisfactory to the commissioner and council;
2. instructors will not be qualified who have received disciplinary action for insurance related practices by the Louisiana Insurance Department, the insurance department of another state, or any similar regulatory body or court;
3. expertise and experience in the specific subject area to be taught, professional designations, or other credentials which indicate a technical mastery of the subject;
4. experience in teaching, instruction, or public speaking which indicate an ability to present the subject matter.

D. The commissioner shall have the authority to waive this requirement after a public hearing, to determine the applicant's qualifications, has been held and findings of such hearing warrant such a waiver.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§715. Training Facility Requirements

A. The provider shall furnish training facility descriptions when applying to become an approved provider of an instructional program. Minimum acceptable training facility characteristics must be maintained at all times.

B. An atmosphere conducive to the education presentation shall be maintained, including good housekeeping, controlled environment as to heating and cooling, proper lighting, and proper furnishings.

C. The facility shall be easily accessible and secure for the safety of the student.

D. The instructional area of the facility should be for the exclusive use for the instructional course while in session.

E. Readily accessible human needs should be considered when selecting a facility.

F. Training aids, overhead viewing equipment availability and a proper visual layout of the classrooms should be addressed.

G. In the event that proper facilities are not available as previously described, the provider shall furnish specific description of the available facility for approval by the commissioner or the council.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:858 (October 1990), amended LR 17:792 (August 1991), LR 20:1395 (December 1994), LR 27:563 (April 2001).

§717. Measurement of Credit

A. Professional education courses shall be credited for continuing education purposes in full hours only. The number of hours shall be equivalent to the actual number of contact hours, number of hours in the classroom in instruction or participation. Each hourly period must include at least 50 minutes of continuous instruction or participation. For this purpose, a one-day program will be granted eight hours credit if the total lapsed time is approximately eight hours and the contact time is at least 400 minutes.

B. University or college upper division credit or noncredit courses shall be evaluated as follows:

1. each semester system credit hour shall not exceed eight hours toward the requirement;
2. each quarter system credit hour shall not exceed four hours.

The final number of credits shall be determined by the Insurance Education Advisory Council.

C. Credit hours for individual study programs shall be determined by the Insurance Education Advisory Council. The council shall determine a reasonable number of CE credit hours which will be subject to a limitation that the licensee may only receive credit for a maximum of 50 percent of the required CE hours from individual study programs.

D. The total continuing education credit hours required for license renewal are limited by the following percentages for each of the following education divisions.

Continuing Education Credit Chart		
100%	Division A	National Professional Designations CPCU, CLU, ARM CHFC, CIC, etc.
100%	Division B	Agent Associations Colleges and Universities Insurance Companies
100%	Division C	Proprietary Schools
50%	Division D	Individual Study
25%	Division E	Miscellaneous General Interest Public Speaking General Interest Association Programs

E. Example of Continuing Education Credit Chart §717.D.

1. Single License Property-Casualty. Continuing education credit hours required: 24 CE hours Maximum CE hours for each division:

- a. A Division hours 24;
- b. B Division hours 24;
- c. C Division hours 24;
- d. D Division hours 12;
- e. E Division hours 4.

F. The number of continuing education credit hours will be limited to a maximum of eight hours per day of instruction. Continuing education credit hours will not be approved for programs conducted during meal functions unless the education presentation is completely separate from the meal function. The maximum number of continuing education credit hours which will be approved for any single course will be 24 credit hours for property-casualty courses and 16 credit hours for life-health courses.

G. Qualified continuing education programs earning a graduate level professional designation such as CPCU, CLU, ChFC, etc., will be subject to special rules as contained in this paragraph. Licensees which successfully pass a qualified graduate level national designation program examination shall earn 24 continuing education credit hours for property-casualty courses and 16 continuing education credit hours for life-health courses.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:858 (October 1990), amended LR 17:792 (August 1991), LR 20:1395 (December 1994), LR 28:510 (March 2002).

§719. Controls and Reporting

A. Upon completion of a class, program, or course of study, the instructor or sponsoring organization shall, within 60 days of completion of the course, provide a certificate of completion (§741, Appendix 5) to each individual who satisfactorily completes the class, program, or course of study. The certificate of completion shall bear the seal of the education provider organization. The provider must also maintain computer records of course completion in a format compatible with Insurance Department standards. Providers must report course completion records to the Insurance Department as requested.

B. Licensees must submit with the application for renewal of a license a signed continuing education statement, under oath, on a form prescribed by the department (§743, Appendix 6 to this regulation), listing the courses that have been taken in compliance with this regulation copies of their certificate of completion (§741, Appendix 5 to this regulation) for each of the courses completed.

C. The original certificates of completion for each educational program or course shall be retained by the licensee as evidence of completion of the program or course for the most recent two-year renewal period. The licensee shall provide the Department of Insurance with these original certificates as proof of completion upon request of a formal audit.

D. The continuing education statements submitted by licensees will be reviewed by the Department of Insurance and may be verified by a formal audit by the department. If a continuing education statement submitted by an applicant for license renewal, as required by this regulation, is not approved, the applicant shall be notified and administrative action shall be taken.

E. The responsibility for establishing that a particular course or other program for which credit is claimed is acceptable and meets the continuing education requirements set forth in this regulation rests solely on the licensee.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:858 (October 1990), amended LR 17:792 (August 1991), LR 20:1395 (December 1994), LR 27:563 (April 2001).

§721. Program Review Disciplinary Action

A. The commissioner, Insurance Department staff, and the Insurance Education Advisory Council shall have the authority to visit a training facility and review the provider's program at any time. Said visits can include the review of curriculum records, review of attendance records, and observation of instructional sessions in progress, which must be accessible at all times during instruction.

B. The certificate of a provider or program may be suspended by the commissioner if he determines that:

- 1. the program teaching method or program content no longer meets the standards of this regulation, or has been significantly changed without notice to the commissioner for its recertification; or
- 2. the provider certified to the commissioner that an individual had completed the program in accordance with the standards furnished for certification or completion of the program, when in fact the individual has failed to do so; or
- 3. individuals who have satisfactorily completed the program of study in accordance with the standards furnished for certification or completion were not so certified by the provider or instructor; or
- 4. there is other good and just cause why certification should be suspended.

C. Suspension shall be subject to notice and hearing in accordance with Part 29 of the *Louisiana Insurance Code*, R.S. 22:1351-67.

D. Reinstatement of a suspended certification may be made upon the furnishing of proof, satisfactory to the commissioner, that the conditions responsible for the suspension have been corrected.

E. The commissioner, or the council at the direction of the commissioner, shall review all complaints lodged against a provider or instructor of a program. Such complaints shall be lodged by a notarized affidavit of a student of said course. A hearing may be called for the purpose of investigating the complaint and/or taking necessary action to resolve the complaint. Any disciplinary action required shall be taken by the commissioner in accordance with Part 29 of the *Louisiana Insurance Code*, R.S. 22:1351-67.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§723. Credit for Individual Study Programs

A. Credit hours for individual study programs shall be determined by the Insurance Education Advisory Council. The council shall determine a reasonable number of CE credit hours which will be subject to a limitation that the licensee may only receive credit for a maximum of 50 percent of his required CE hours from individual study programs.

B. Continuing education credit for individual study programs must be applied to the current license renewal and may not be carried over to subsequent license renewals. No individual study program will be certified for more than 24 continuing education credit hours for property-casualty courses or 16 continuing credit hours for life-health courses.

C. Qualified individual study program providers (example: national publishing companies) may not contract their provider status to other CE providers. The integrity of materials and testing are the responsibility of the approved provider and must be maintained under their direct control. Local CE providers may act as vendors or marketing agents of approved individual study program providers as long as the provider controls the materials and testing.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:859 (October 1990), amended LR 17:793 (August 1991), LR 20:1396 (December 1994), LR 28:511 (March 2002).

§725. Credit for Service as Instructor

A. One hour of continuing education credit will be awarded for each hour completed as an instructor or discussion leader, provided the class or program is certified by the commissioner and meets the continuing education requirements of those attending.

B. Credit for instruction will only be granted once for each course or program, not for successive presentation of the same course.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§727. Effective Date

A. This regulation shall be effective December 20, 1994.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§729. Separability

A. If any provision of this regulation is for any reason held to be invalid, the remainder of the regulation shall not be affected thereby.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§731. Periodic Review

A. The rule set forth herein shall be reviewed by the Insurance Education Advisory Council every three years to determine if modifications to the rule are necessary.

B. In the event modification of this rule is thought to be necessary, a notice of a meeting to consider the modifications recommended by the Insurance Education Advisory Council shall be given in accordance with the provisions of R.S. 22:1354.C.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:859 (October 1990), amended LR 17:793 (August 1991), LR 20:1397 (December 1994), LR 27:563 (April 2001).

§733. Appendix 1 Request for Program/Course Approval

REQUEST FOR PROGRAM/COURSE APPROVAL											
SUBMIT THIS FORM IN DUPLICATE										NAIC APPROVED	
REQUEST FOR APPROVAL OF CONTINUING EDUCATION CREDIT IN THE STATE OF _____											
Name and Address of Entity/ Sponsor Submitting Course						Name and Telephone Number of Contact Person Name _____ 1 - () _____ 1 - (800) - _____					
Course Title/Name _____ Date of Course _____ Start Time _____ End _____ <input type="checkbox"/> If course will be repeated, check and attach location scheduled. Location _____ City _____ Primary Instructor _____ Telephone _____											
Method of Instruction <input type="checkbox"/> Classroom/Leisure <input type="checkbox"/> Seminar <input type="checkbox"/> College University <input type="checkbox"/> Other _____						<input type="checkbox"/> Correspondence <input type="checkbox"/> Prof. Assoc. <input type="checkbox"/> Employee Trng. <input type="checkbox"/> Instructor					
Hours of Instruction/Contact Classroom Hours _____						<input type="checkbox"/> Attendance			<input type="checkbox"/> Other _____		
Credit Hours Requested <input type="checkbox"/> Life/Health & Accident/Annuities Variable <input type="checkbox"/> Property/Casualty <input type="checkbox"/> Either _____						<input type="checkbox"/> General			Course Concentration <input type="checkbox"/> Product <input type="checkbox"/> Marketing <input type="checkbox"/> General Ins. Principles		
States that have approved this course (if filing is pending, place "P" in the hours column):											
Dept.	Hours	Dept.	Hours	Dept.	Hours	Dept.	Hours	Dept.	Hours	Dept.	Hours
DE	_____	IA	_____	MN	_____	NM	_____	SD	_____	LA	_____
GA	_____	KS	_____	MS	_____	ND	_____	TN	_____	_____	_____
IL	_____	MA	_____	NE	_____	OR	_____	WA	_____	_____	_____
Names and Signatures of Instructors Authorized to sign Certificate of Completion:											
Name (Typed or Printed) _____						Signature _____					
Name (Typed or Printed) _____						Signature _____					
Application for Credit Each course sponsor shall certify the hours of the study, on the average, required to successfully complete each course. Credit will be granted in accordance with A) State Regulation, B) review by the Department of Insurance. The Provider agrees to C) maintain a record for not less than three (3) years (five [5] years for Georgia) for persons attending each course; D) provide Certificate of Attendance Completion with hours earned to successful students upon completion and E) comply with the regulations of the Department of Insurance in conducting Continuing Education courses.											
Attachments 1) Attach course description, "outlines," Continuing Education Objectives;" copy of "Certificates of Attendance Completion," promotional material, types of policies, forms, etc. that may be used in considering the submitted course. 2) Attach Instructor biographical statement, including typed names and signatures. 3) Text must be filed in: ("REQUIRED FOR APPROVAL").											
Submitted by _____											
Name (Typed or Printed) _____						Signature _____			Date _____		

Title _____						Organization _____					

DEPARTMENT USE ONLY	
<input type="checkbox"/> Course approved for _____ hours <input type="checkbox"/> Not approved Comments: _____ _____ _____	<input type="checkbox"/> Life/Acc. & Health/Annuities/Variable <input type="checkbox"/> Property/Casualty <input type="checkbox"/> Either _____ <input type="checkbox"/> General
DEPARTMENT OF INSURANCE	

INSURANCE

§735. Appendix 2 Continuing Education Provider Training Schedule

CONTINUING EDUCATION PROVIDER TRAINING SCHEDULE		
TRAINING PROVIDER		
TRAINING LOCATION		
TELEPHONE NUMBERS		
INSTRUCTOR(S)		
DATE	TIME	LOCATION
SIGNATURE OF SUPERVISING INSTRUCTOR		
Rev. 8/1/94		

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§737. Appendix 3 Continuing Education Provider Application

CONTINUING EDUCATION PROVIDER APPLICATION	
TO: STATE OF LOUISIANA COMMISSIONER OF INSURANCE LICENSING DIVISION P.O. BOX 94214 BATON ROUGE, LA 70804-9214	
APPLICATION FOR APPROVAL AS A PROVIDER OF CONTINUING EDUCATION COURSES PURSUANT TO ACT 428 OR THE 1989 REGULAR LEGISLATIVE SESSION.	
NAME OF PROVIDER	
ADDRESS	
CONTACT PERSON	
TELEPHONE NUMBER	
ATTACH THE FOLLOWING:	
1. COURSE OUTLINE (GIVING TIME ALLOTTED TO EACH SUBJECT)	
2. LIST OF RESOURCE MATERIAL	
3. RÉSUMÉ OF SUPERVISING INSTRUCTOR OR DIRECTOR	
4. DESCRIPTION OF TRAINING FACILITIES TO BE USED	
5. CLASS SCHEDULES AND LOCATIONS	
6. COST OF PARTICIPATION	
7. APPENDIX 7 (ADMINISTRATIVE AND REPORTING REQUIREMENTS SURVEY)	
(PROVIDER)	
(SIGNATURE OF PROVIDER REPRESENTATIVE)	
(DATE)	
FOR DEPARTMENT USE ONLY	
APPROVED BY:	DATE:
DISAPPROVED BY:	DATE:
Rev. 8/1/94	

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§739. Appendix 4 Continuing Education Instructor Application

CONTINUING EDUCATION INSTRUCTOR APPLICATION	
APPLICATION FOR APPROVAL AS AN INSTRUCTOR OF CONTINUING EDUCATION INSURANCE COURSES PURSUANT TO ACT 428 OF THE 1989 REGULAR LEGISLATIVE SESSION.	
PROVIDER	
INSTRUCTOR	
ADDRESS	
TELEPHONE	
OCCUPATION	
Qualifications	
I have _____ or have not _____ received disciplinary action for insurance related practices by the Louisiana Insurance Department, the Insurance Department of another state, or any similar regulatory body or court.	
Signature of Instructor	
Signature of Supervising Instructor	
FOR DEPARTMENT USE ONLY	
APPROVED BY:	DATE:
DISAPPROVED BY:	DATE:
Rev. 8/1/94	

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

§741. Appendix 5 Continuing Education Certificate

CONTINUING EDUCATION CERTIFICATE		
This Certificate of Completion will be accepted as evidence that the person named herein has complied with the Continuing Education requirements mandated by the Department of Insurance in the state of LOUISIANA		
Name of Education Provider		
Provider Authorization No.		
Name of Agent	Agent License No.	Social Security No.
Course Title	Course Number	
Course Completion Date	Credit Hours Earned	
Signature of Authorized Instructor	Date:	
Signature of Agent	Date:	
The Department of Insurance makes the agent responsible for using this certificate to meet state requirements.		
ATTENTION: A copy of this Certificate must be filed with the Department of Insurance.		
Rev. 8/1/94		

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Regular Legislative Session and R.S. 22:1193.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:855 (October 1990), amended LR 17:789 (August 1991), LR 20:1391 (December 1994).

AUTHORITY NOTE: Promulgated in accordance with Act 342 of the 2004 Louisiana Regular Legislative Session; R.S. 22:39.D.; and the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:1095 (May 2005).

J. Robert Wooley
Commissioner

0505#036

RULE

Department of Insurance Office of the Commissioner

Rule Number 10 Continuing Education (LAC 37:XI.717 and 723)

Under the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Insurance hereby adopts these amendments to its Rule 10 relating to the guidelines for continuing education requirements. The amended Rule 10 will become effective upon publication in the May 2005 *Louisiana Register*. This action complies with the statutory law administered by the Department of Insurance.

Title 37 INSURANCE Part XI. Rules

Chapter 7. Rule Number 10 Continuing Education §717. Rule 10.10. Measurement of Credit

A. - D.table. ...
E. Example of Continuing Education Credit Chart §717.D

1. - 1.e. ...

f. F Division hours 4.

F. - G. ...

H.1. Members of state or national professional associations may be granted four continuing education credits each year for actively participating in a state or national insurance association in one of the following methods:

a. attend a formal meeting of a state or national association where a formal business program is presented and attendance is verified in a manner consistent with the provisions of Rule 10;

b. serve on the board of directors or a formal committee of a state or national chapter of the association, and actively participate in the activities of the board or committee;

c. participate in industry, regulatory, or legislative meetings held by or on behalf of a state or national chapter of the association; or

d. participate in other formal insurance business activities of a state or national chapter of the association.

2. In order to qualify for continuing education credit under this provision, members must attend at least 4 hours of qualified activities. Continuing education credit shall be given as one 4 hour increment each year from the association in a manner consistent with the provisions of Rule 10. The association shall be responsible for verifying

attendance or participation of members for all events where continuing education credit is given under the terms of this provision. Attendance at meetings which are otherwise approved for continuing education credit do not qualify under the terms of this provision. The association shall file with the department for approval of a "course number" which shall be shown on all continuing education certificates issued under the terms of this provision.

3. Continuing education credit for membership in a bail bond association may only be applied towards renewal or reinstatement of a bail bond producer license. Continuing education credit for membership in a life, health and accident, property or casualty type association may only be applied towards renewal or reinstatement of a similar producer license.

4. Licensed producers may receive multiple member association certifications due to membership in more than one association; however, the licensee may only apply one membership certification to each renewal of his license. This certification must have been issued within the two year period immediately preceding renewal of the license.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Louisiana Regular Legislative Session; R.S. 22:1193; and the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:858 (October 1990), amended LR 17:792 (August 1991), LR 20:1395 (December 1994), LR 28:509 (March 2002), LR 31:1096 (May 2005).

§723. Rule 10.13 Credit for Individual Study Programs

A. ...

B. Insurance companies admitted to do business in the state of Louisiana, insurance trade associations as recognized by the commissioner, and accredited public or private colleges or universities may be recognized as providers of independent study courses. Other organizations recommended by the council and authorized by the commissioner may be approved as providers of independent study courses if they meet one of the following qualifications:

1. five years or more experience as a recognized insurance education provider of independent study courses;

2. accreditation by a national education organization. All individual study programs must be submitted for approval by the organization which complies or publishes the course materials. All individual study courses must be approved prior to being offered to licensees for continuing education credit. Any such course approval is not transferable to any other entity.

C. Continuing education credit for individual study programs must be applied to the current license renewal and may not be carried over to subsequent license renewals. No individual study program will be certified for more than 24 continuing education credit hours for property-casualty courses or 16 continuing credit hours for life-health courses.

D. Qualified individual study program providers (example: national publishing companies) may not contract their provider status to other CE providers. The integrity of materials and testing are the responsibility of the approved provider and must be maintained under their direct control. Local CE providers may act as vendors or marketing agents of approved individual study program providers as long as the provider controls the materials and testing.

AUTHORITY NOTE: Promulgated in accordance with Act 428 of the 1989 Louisiana Regular Legislative Session; R.S. 22: 1193; and the Louisiana Administrative Procedure Act, R.S. 49: 950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 16:859 (October 1990), amended LR 17:793 (August 1991), LR 20:1396 (December 1994), LR 28:510 (March 2002), LR 31:1096 (May 2005).

J. Robert Wooley
Commissioner

0505#037

RULE

Department of Public Safety and Corrections Office of Corrections Services

Adult and Juvenile Services Notice
(LAC 22:I.367)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), the Department of Public Safety and Corrections, Corrections Services, has repealed the entire contents of §367, Notice.

The Department of Public Safety and Corrections has repealed the current regulation based on the fact that R.S. 15:866.2 is current law. As a result, Notice in Title 22 is merely duplicative.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part I. CORRECTIONS

Chapter 3. Adult and Juvenile Services

§367. Notice

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:823, *Wolff v. McDonnell*, 94 S.Ct. 2963 (1974) and *Ralph v. Dees*, C.A. 71-94, USDC (Md.La.).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Adult Services, LR 7:6 (January 1981), repromulgated by the Department of Public Safety and Corrections, Corrections Services, Office of Adult Services, LR 17:605 (June 1991), LR 19:657 (May 1993), repealed by the Department of Public Safety and Corrections, Corrections Services, LR 31:1097 (May 2005).

Richard L. Stalder
Secretary

0505#055

RULE

Department of Public Safety and Corrections Office of Corrections Services

Air Traffic Regulation, Attorney Visits,
and Inmate Marriage Request
(LAC 22:I.105, 317, and 329)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), the Department of Public Safety and Corrections, Corrections Services, has amended §317. Attorney Visits, and §329. Inmate Marriage Requests, and adopted §105. Regulation of Air Traffic.

Within the Department of Public Safety and Corrections, the Office of Youth Development has been statutorily separated from the Office of Corrections Services. Therefore, Title 22 is being re-codified into two sections: adult offenders and juvenile offenders. The purpose of the repromulgation of the aforementioned regulations is to further this effort by reorganizing all policies deemed to be internal management or any policy that has since been written into an existing regulation.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part I. Corrections

Chapter 1. Secretary's Office

§105. Regulation of Air Traffic

A. Purpose. To establish the secretary's policy regarding air traffic at correctional institutions.

B. Applicability. Chief of Operations, Assistant Secretary and Wardens. Each warden shall ensure that procedures are in place to comply with the provisions of this regulation.

C. Policy. It is the secretary's policy that all incoming and outgoing aircraft to and from the institutions be monitored.

D. General Procedures

1. Individuals who have reason to come to the institutions via aircraft must request permission and receive authorization in advance, by telephone or in writing, to land at the institution, specifically to land on the airstrip at the Louisiana State Penitentiary or Dixon Correctional Institute.

2. Requests should be directed to the warden's office during regular business hours, Monday through Friday. Calls received after hours or on weekends or holidays will be handled by the duty officer.

3. The individual requesting permission to land must provide the following information:

- reason for coming to the institution;
 - date and expected time of arrival;
 - number and names of persons aboard aircraft;
- and
- type of aircraft, color, and registration number.

4. The warden's office will notify the control center of approved air traffic. The control center will notify the prison towers to inform the officer(s) of the incoming air traffic, the expected time of arrival, and description of the aircraft. The tower officer will in turn inform the control center when the aircraft arrives. The control center will then dispatch security to meet the incoming aircraft and to verify the identification of the occupants and provide ground transportation when necessary.

5. A log will be maintained by security of all aircraft that lands or departs from the institution. This log will contain the date, time of arrival, type of aircraft, color, registration number, and the names of passengers.

6. Low flying aircraft attempting to land anywhere within any of the institutions will be reported to the control center immediately. The control center will notify security and other appropriate personnel.

7. Each warden is responsible for developing written procedures for handling unauthorized and/or emergency landing situations, and for securing inmates in the immediate area.